

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 7

SAMARION, INC.

CASE NO. 09-04246-EE

EILEEN N. SHAFFER, TRUSTEE

PLAINTIFF

vs.

ADVERSARY PROCEEDING NO. _____

SAMARION, INC.

and

UBS FINANCIAL SERVICES, INC.

DEFENDANTS

**COMPLAINT TO COMPEL
TURNOVER OF PROPERTY**

COMES NOW, Eileen N. Shaffer, in her capacity as Trustee, and files this her Complaint to Compel Turnover of Property, and would show unto the Court the following, to-wit:

Jurisdiction

I.

The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2)(E) and (F). This action is being filed pursuant to 11 U.S.C. §543.

Parties

II.

The plaintiff herein is Eileen N. Shaffer, Trustee of the bankruptcy proceeding of Samarion, Inc.

III.

Defendant herein, Samarion, Inc. is a corporation doing business in the State of Mississippi and may be served with process at it's attorney of record, J. Walter Newman, IV, Attorney at Law, 248 East Capitol Street, Suite 539, Jackson, MS 39201.

IV.

Defendant herein, UBS Financial Services, Inc. is a financial institution authorized to do business in the State of Mississippi and may be served with process upon Elydna Rushing, it's Agent, at 6360 I-55 North, Suite 405, Jackson, MS 39211-2038.

Facts

V.

That Samarion, Inc. (hereinafter referred to as "Debtor") filed a petition for relief under Chapter 7 of the United States Bankruptcy Code on December 2, 2009, being Case No. 09-04246-EE in the Southern District of Mississippi.

VI.

That upon information and belief, the UBS Financial Services, Inc. has an account in the name of Valence Broadband, Inc. (Also D/B/A SAMARION 5M).

VII.

That the Trustee requests that UBS Financial Services, Inc. turn over all funds on deposit in any and all accounts that the debtor may have as of the filing date of December 2, 2009.

VIII.

That said proceeds represent property of the bankruptcy estate and should be turned over to the Trustee.

WHEREFORE, PREMISES CONSIDERED, Eileen N. Shaffer, Trustee, respectfully requests that this Court enter an order compelling UBS Financial Services, Inc. to immediately turn

over all funds on deposit in any and all accounts established in the name of Samarion, Inc. A/K/A Valence Broadband, Inc. and for such other relief as is deemed just.

THIS the 11th day of January, 2010.

Respectfully submitted,

CHAPTER 7 TRUSTEE

BY: /s/ Eileen N. Shaffer
EILEEN N. SHAFFER
Attorney for the Trustee

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